

FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON, D.C. 20554

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MAY 13 1993

IN REPLY REFER TO:  
30-771760A3

Honorable Rick Santorum  
House of Representatives  
606 Weyman Road  
Pittsburgh, Pennsylvania 15236

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

Dear Congressman Santorum:

This is in response to your letter of April 21, 1993, in which you inquired on behalf of your constituent, Mr. Fred Berman, regarding the Notice of Proposed Rule Making (Notice) in PR Docket No. 92-235, 57 FR 54034 (1992). Mr. Berman is specifically concerned about the potential impact of our final rules on radio remote controlled airplane hobbyists.

Model airplane users have shared spectrum on a secondary basis with industrial users for over 25 years. Any analysis of this proposal should take into account that the low power industrial user and the radio control model airplane hobbyists effectively share spectrum through geographic separation. We are enclosing the Report and Order in GEN Docket 82-181, 47 FR 51875 (1982), which provided the current 50 channels for radio controlled model airplanes. Until 1982, the only airplane channels were exactly co-channel with industrial users and, to the best of our knowledge, there has never been a case of interference between these classes of users.

The Commission is seeking to work with all parties on this matter. To this end, FCC staff has met with the two industry groups representing model airplane users, the Academy of Model Aeronautics and the Sport Flyers Association, to discuss their concerns and methods of expanding capacity for private land mobile radio users without affecting radio control users. Following the comment and reply comment periods, we will endeavour to adopt reasonable final rules as soon as possible.

We want to thank you for your interest. Your letter will be included in the formal record of this proceeding.

Sincerely,



Richard J. Shiben  
Chief, Land Mobile & Microwave Division

Enclosure

CNTL NO - 9301860

cc:  
Chief, LM&MD  
Chief, PRB  
Dockets  
P&P File

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CONGRESS/9301860

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# Congressional

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RICK SANTORUM  
18TH DISTRICT, PENNSYLVANIA

COMMITTEE ON  
WAYS AND MEANS  
RANKING MEMBER, SUBCOMMITTEE  
ON HUMAN RESOURCES  
MEMBER, SUBCOMMITTEE ON  
OVERSIGHT

WASHINGTON OFFICE:  
1222 LONGWORTH HOUSE OFFICE BUILDING  
WASHINGTON, DC 20515-3818  
(202) 225-2135

**Congress of the United States**  
**House of Representatives**  
**Washington, DC 20515-3818**

April 21, 1993

PRB  
92-235

PLEASE REPLY TO:  
808 WEYMAN ROAD  
PITTSBURGH, PA 15236  
(412) 882-3205

541 FIFTH AVENUE  
MCKEESPORT, PA 15132  
(412) 664-4049

~~840 River Road~~  
PITTSBURGH, PA 15235  
(412) 882-3205

1660

FRED F. BERMAN  
1902 TURKEYFOOT RD.  
MCKEESPORT, PA. 15135  
PHONE: (412) 751-5729

April 15, 1993.

FCC Action (proposed) PR92-235 Protested.

Honorable Arlen C. Specter  
United States Senate,  
Washington, D.C., 20510-3802.

Dear Senator Specter:

First allow me to thank you sincerely for entertaining our original complaint regarding the FCC's plan to effectively kill presently assigned frequencies which perhaps 5 million modelers in the U.S. use to operate their radio controlled model aircraft.

As a result of your inquiry a Mr. Richard Shiben of the FCC has written to me attempting to explain away our fears and concerns with respect to the proposed frequencies shuffle. I am sorry to have to advise you that Mr. Shiben's arguments are entirely inaccurate and misrepresent the consequences if the new FCC plan were allowed to go into effect. A copy of my reply to Mr. Shiben is enclosed.

By (to me) logical reasoning the FCC would not try to squeeze more and narrower frequencies into the modelers' radio bands unless other potential users were petitioning FCC officials in a persuasive way. Modelers, of course, are a widely fanned out, loosely organized fraternity with little financial or lobbying opportunity. Therefor we are pinning our hopes of a cease and desist action on you as our sympathetic elected representative in this big government.

Thank you again for standing up with the little people, even though our numbers are substantial. I understand that some 10,000 letters have been

FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON, D.C. 20554

March 3, 1993

IN REPLY REFER TO:

7330-7/1700A3

Mr. Fred Berman  
Mon Valley R/C Club  
1902 Turkeyfoot Road  
McKeesport, Pennsylvania 15135-1308

Dear Mr. Berman:

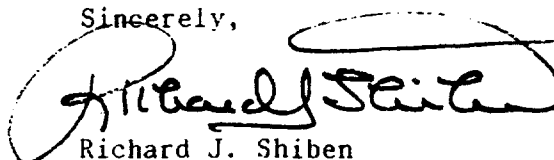
This is in reply to your letter to Senator Arlen Specter regarding the Notice of Proposed Rule Making (Notice) in PR Docket No. 92-235, 57 FR 54034 (1992). This Notice proposes comprehensive changes to the Commission's Rules governing the private land mobile radio services operating in the frequency bands below 512 MHz.

You are specifically concerned about the impact of these changes on radio control (R/C) hobby users. Enclosed is a discussion paper concerning our proposals for the 72-76 MHz band. In short, we expect there would be no adverse impact on R/C operations because of any proposal contained in the Notice.

We are, of course, sensitive to the concerns of both users of private land mobile radio spectrum and R/C hobbyists. We will, therefore, take your concerns into account when we develop final rules in this proceeding. As indicated in the Notice, we remain convinced that without significant regulatory change in radio operations in the bands below 512 MHz, the quality of communications in the private land mobile radio services will continue to deteriorate to the point of endangering public safety and the national economy.

We want to thank you for your interest. Your letter will be included in the record of the proceeding. We expect final rules to be issued in 1994.

Sincerely,



Richard J. Shiben  
Chief, Land Mobile & Microwave Division  
Private Radio Bureau

Enclosure

Copy to: Honorable Arlen Specter


Subject: Radio Control in the 72-76 MHz band

Question: What is the 72-76 MHz band used for?

Answer: The frequency range between 72-76 MHz is primarily a guard band between TV channels 4 and 5. Specifically, the channels between 72 and 76 MHz are licensed for use by 1) private and common carrier fixed station use at up to 300 watts output power (private and common carrier fixed use occurs on the same channels) and 2) private land mobile use at up to 1 watt output power. The channels between 72 and 76 MHz are also available for unlicensed secondary use by remote control operators of model aircraft, boats and cars at .75 watts output power.

Question: What is the relationship between fixed and mobile land mobile operations and radio control operations?

Answer: Radio control channels are located between fixed and mobile channels. The radio control channels overlap with the fixed and mobile channels. Radio control operations are unlicensed and are secondary to fixed and mobile operations. This means that



Second, the proposed narrowband technical requirements are much stricter than current requirements. Thus, a 2.5 kHz frequency separation between land mobile and radio control users should be adequate given modern radio control equipment and the proposed land mobile equipment.

Third, land mobile operations authorized on the 72-76 MHz band are not car phones. Rather, these channels are used in limited locations such as a factory or construction site, mainly for non-voice operations to monitor or control expensive equipment such as overhead cranes. Model airplane enthusiasts seek clear areas and fields. Thus, the two classes of users rarely notice each other. The proposed technical standards would not change this important fact.

Question: Would the technical rules for the fixed users be changed?

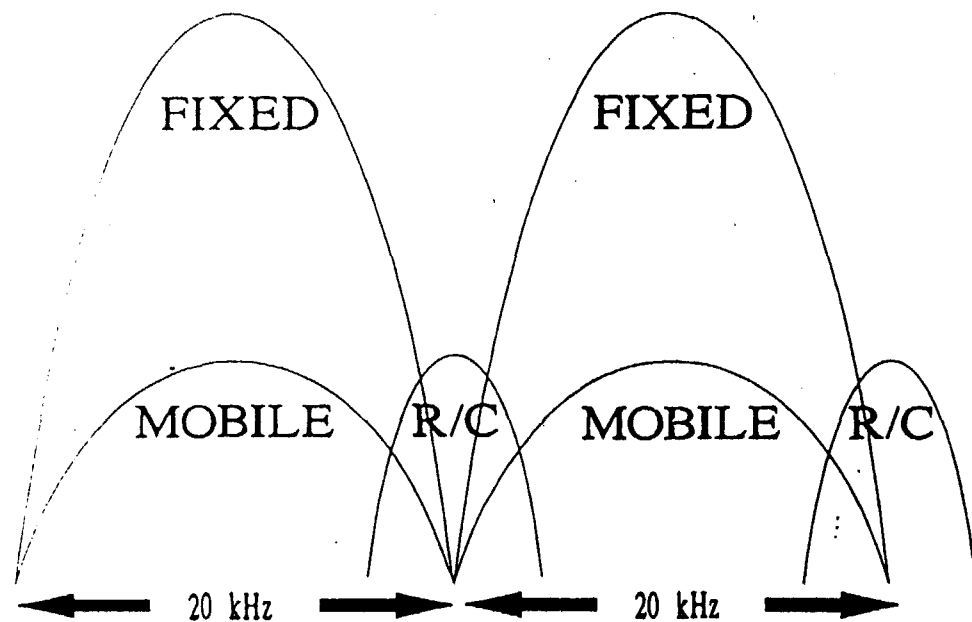
Answer: No. We are not proposing technical changes because such changes could have a significant adverse impact on other users, including mobile users and radio control operators.

Question: Would any changes be required of radio control users?

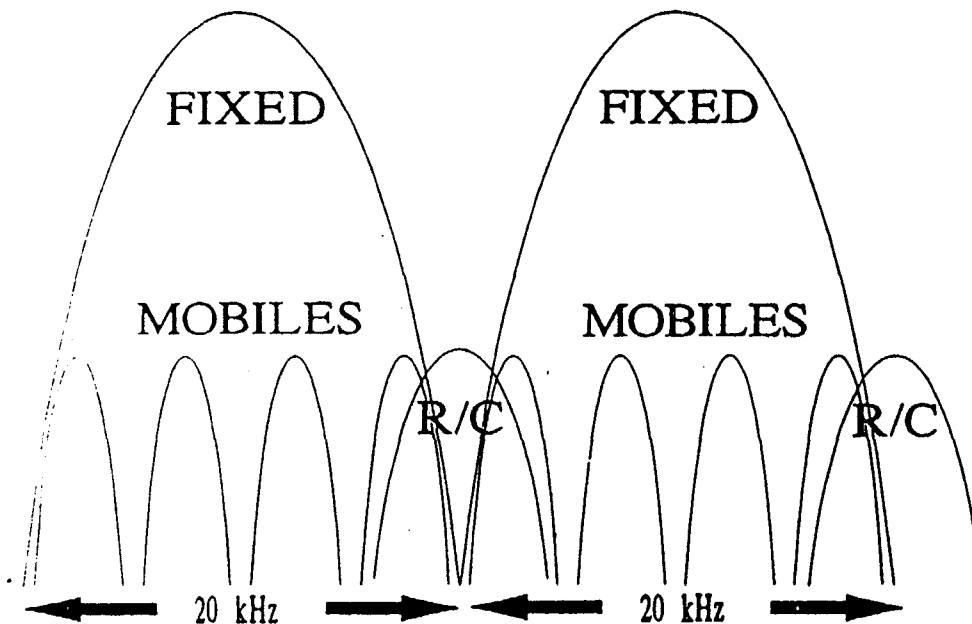
Answer: No. Current technical and operational requirements for radio control operations are compatible with the proposed changes for private land mobile radio use.

Finally, we recognize that our proposed rules are based on the information available at the time we wrote them. We seek constructive information in order to adopt final rules that meet our objectives of expanding capacity for private land mobile radio users with minimal or no harm to all existing users of the spectrum.

# Channel Splits



Current channels  
at 72-76 MHz



Proposed  
channelization



FRED F. BERMAN

1902 TURKEYFOOT RD.

McKEESPORT, PA. 15135-1308

PHONE (412) 751-5729

March 29, 1993.

Reply reference #7330-7/1700A3

Mr. Richard J. Shiben  
Chief, Land Mobile & Microwave Division  
Private Radio Bureau  
Federal Communications Commission  
Washington, D.C. 20554

Dear Mr. Shiben:

Thank you for honoring me with a personal reply to my letter to Senator Specter. I appreciate the avenue of direct communication very much. In the last paragraph of your comments sheet you ask for constructive information. Please allow me to offer my review of several of the points you address.

First, reference is made to radio control hobbyists as 'unlicensed and secondary'. I still have my license #KTBU6464 which was last renewed to me on 5-20-1982. The FCC has since dropped the licensing requirement, evidently as a paperwork reduction and cost savings measure.

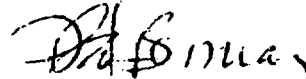
Regarding the 'secondary' label allow me to point out that radio control hobbyists in the USA, possibly 5 million strong, are 'primary' tax payers and voters. I believe that our radio frequency needs, like those of the radio amateur 'hams', should be treated as a 'primary' priority as well. When, beginning in 1987, we R/C hobbyists were switched by the FCC from the old wide band frequencies to the '91 narrow band allocation of channels 11 to 60 we were given to understand that those frequencies were to be strictly reserved for radio control hobby use. Most of our old radio apparatus had to be scrapped, and the radio equipment manufacturers had to design and build new transmitters and receivers which are still not totally proven and are being made more interference resistant even now. One of the reasons for this was the unanticipated discovery that your commission had approved the use of 'half channels' (i.e. 11½, 12½, etc.) to commercial users. The logic of such assignment totally escapes me. Why did you not, or would you still give hobbyists channels 11 to 35, or 36 to 60 in toto without halfway neighbors of a different persuasion? We would accept such a switch, as we would licensing requirements!

Second, our present radio equipment is still perfecting how to exclude interference just 10 khz away from our center frequencies. Please remember that 'interference' does not mean cross talk or video washes but the crash of models worth thousands of dollars each with resultant damage and injury potential. Now, in PR Docket 92-235, you are proposing to slice channel width to 2.5 khz, or 4 times narrower. Whether R/C equipment can be built to operate safely in such an environment is open to question. Multi-millions of dollars of expenditures to the industry and to the modelers would be required while our billion dollar jobs and recreation creating hobby would effectively be shut down. I absolutely cannot concur with your statements that your proposed changes would have little or no impact on our presently existing frequencies schedule.

(over, please.)

Please pause to regard our frustrating radio prospects through the eyes of the 5 million radio control hobbyists, tax payers, and voters. If you are going to change the rules do allot us perhaps fewer frequencies but let those be strictly limited to our use only. And space the channels at least 10 khz apart. You have the power to restore much of our confidence in the fairness and the ubiquities of our government.

Respectfully yours,

A handwritten signature in dark ink, appearing to read 'F. Berman', with a stylized flourish at the end.

Fred Berman  
AMA Leader Member & Past President,  
Mon Valley R/C Club.

Copy to: Honorable Arlen Specter.  
Honorable Harris Wofford.  
Honorable Rick Santorum.